

**Minutes of the Grinnell City Council Meeting  
Monday, May 15, 2006**

The City Council of the City of Grinnell met in regular session in the Council Chambers of the Grinnell Community Center, 927 4<sup>th</sup> Avenue, Grinnell, Iowa, at 7:04 p.m., Monday May 15, 2006. Mayor Pro Tem White presided.

ROLL CALL:           PRESENT:   McNaul, Wilson, Wright, Worley, Witt, White

**PERFECTING AND APPROVAL OF AGENDA:**

Moved by WORLEY, second by WILSON, to approve the Agenda and the Consent Agenda as presented and moving the location of the reading of Ordinance #1272 in the meeting. Roll Call Vote: Ayes: Worley, Wilson, McNaul, White, Wright, Witt. Motion carried.

**CONSENT AGENDA:**

- A.    Previous minutes as drafted from the Monday, May 1, 2006 Regular Session.
- B.    Approval of the On-Premise Application for Liquor, Wine or Beer for Café Phoenix, 834 Park Street.
- C.    Approval of the On-Premise Application for Liquor, Wine or Beer for Pizza Hut #4329, 1033 Broad Street.
- D.    Approval of the On-Premise Application for Liquor, Wine or Beer for Lonnski's Pub & Deli, 922 ½ Main Street.
- E.    Approval of the request submitted by St. Mary's Catholic Church Parish Council in respect to their annual June Parish Picnic, Saturday, June 10, 2006. The request includes: barricading Broad Street from 5<sup>th</sup> to 6<sup>th</sup> Avenue from 3:00 pm to 10:00 pm.
- F.    Approval of the request submitted by Mr. Robert Latting in regard to the blocking of streets for the 33rd Annual Auto Show and Swap Meet in Central Park on Sunday, June 25, 2006.
- G.    Approval of the request submitted by Grinnell Mutual Reinsurance Company in regard to allowing parking on both sides of East and Park Streets from 8th to 10th Avenue on June 27 and 28, 2006 for their 2006 Annual Meeting.

**PUBLIC HEARING:**

Mayor Pro Tem White opened the public hearing in regard to the plans, specifications, estimate of cost and form of contract for the 2006 Street Repairs in the city of Grinnell, Iowa at 7:06 pm. Wingerter noted no comments or objections had been received prior to the meeting. White requested comments and objections from the citizens present. There were none.

Moved by MCNAUL, second by WITT, to close the public hearing at 7:07 pm. Roll Call Vote: Ayes: McNaul, Witt, Worley, Wilson, Wright, White. Motion carried.

Moved by WITT, second by MCNAUL, to approve and adopt Resolution No. 2955: "A RESOLUTION ADOPTING PLANS, SPECIFICATIONS, ESTIMATE OF COST AND FORM OF CONTRACT FOR THE 2006 STREET REPAIRS PROJECT IN THE CITY OF GRINNELL, IOWA." Roll Call Vote: Ayes: Witt, McNaul, Wilson, White, Worley, Wright. Motion carried.

Moved by WITT, second by MCNAUL, to approve and adopt Resolution No. 2956: "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT FOR THE CONSTRUCTION FOR THE 2006 STREET REPAIRS PROJECT." Roll Call Vote: Ayes: Witt, McNaul, Wilson, Wright, White, Worley. Motion carried.

#### SECOND READING OF ORDINANCE:

Moved by WORLEY, second by MCNAUL, to conduct the final reading of Ordinance No. 1272: "AN ORDINANCE AMENDING ORDINANCE NO. 774 BY CHANGING CERTAIN DISTRICTS SHOWN ON THE OFFICIAL ZONING MAP." (The ordinance refers to the property commonly referred to as 606 Marvin Avenue.) Roll Call Vote: Ayes: Worley, McNaul, Witt, White, Wilson, Wright. Motion carried.

Mayor Canfield entered the meeting at 7:09 p.m. and presided from that point on.

#### COMMUNICATIONS/MEETING MINUTES:

- A. Finance Committee: May 1, 2006
- B. Planning Committee: May 1, 2006
- C. Public Works and Grounds Committee: May 1 and 8, 2006
- D. Public Safety Committee: May 2, 2006
- E. Stewart Library Board of Trustees: April 27, 2006
- F. Stewart Library Board of Trustees Special Session: May 3, 2006
- G. Grinnell Low Rent Housing Authority Annual Report for 2005-2006.
- H. Thank you from the Galaxy in regard to a donation from the Campbell Fund; Thank you from the Grinnell Food SHARE Program in regard to a donation from the Campbell Fund.

Mayor Canfield commented that Wal-Mart presented the city with a check for \$12,000 and the police department with a check for \$3,000 at their special opening this evening.

#### COMMITTEE BUSINESS:

- A. Report from the Finance Committee
  - o Approval of Tax Exemption Certificate and authorization of a form of Loan Agreement and authorizing and providing for issuance of Capital Loan Notes and levying to pay the Notes.

Moved by WHITE, second by WILSON to approve and adopt Resolution No. 2960: "A RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR ISSUANCE OF CAPITAL LOAN NOTES AND LEVYING A TAX TO PAY THE NOTES." Roll Call Vote: Ayes: White, Wilson, Wright, Witt Worley, McNaul. Motion carried.

- o Approval and authorization of a form of Loan Agreement and authorizing and providing for issuance of Capital Loan Notes and levying to pay the Notes.

Moved by WHITE, second by WILSON to approve and adopt Resolution No. 2961: "A RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR ISSUANCE OF CAPITAL LOAN NOTES AND LEVYING A TAX TO PAY THE NOTES." Roll Call Vote: Ayes: White, Wilson, Witt, McNaul, Worley, Wright. Motion carried.

- Review of the proposed Local Option Sales Tax Resolution.

The Local Option Sales Tax will help fund some projects but there will not be enough to fund any large projects entirely as drafted. The county has set the sunset at 20 years. The city will need to specify where the funds will be used. There will not be enough funds from the Local Option Sales Tax Resolution as drafted to build a new public safety building so other funding will be needed.

Voting on the Local Option Sales Tax will take place at next regular election in November.

- Review the Low Rent Housing Rental Agreement.

Moved by WHITE, second by WILSON to approve the Low Rent Housing Rental Agreement as presented. Roll Call Vote: Ayes: White, Wilson, Worley, McNaul, Wright, Witt. Motion carried.

- Presentation of the Fiscal Year 2004-2005 Audit.

Gardiner/Thomsen, the auditing firm, will present the audit findings at a later date

- Report from City Manager in regard to payroll reporting.
- Acceptance of the resignation submitted by Cassie Hage – City Clerk.

Moved by WHITE, second by MCNAUL to accept of the resignation submitted by Cassie Hage – City Clerk. Roll Call Vote: Ayes: White, McNaul, Witt, Wright, Worley, Wilson. Motion carried.

- Appoint Interim City Clerk.

Moved by WHITE, second by WILSON to appoint Ann Wingerter, Deputy City Clerk, as interim City Clerk. Roll Call Vote: Ayes: White, Wilson, Worley, Wright, McNaul, Witt. Motion carried.

- Discuss City Clerk/Finance Officer hiring process.

Moved by WHITE, second by WITT, to give Gordon Canfield, Jim White, and Russ Behrens the approval to work on hiring a City Clerk/Finance Officer. Roll Call Vote: Ayes: White, Witt, Worley, Wilson, McNaul, Wright. Motion carried.

- Approval of Business Grant for George's Pizza and Seajae Properties.

White commented that the total amount of the grant is \$5000.

Moved by WHITE. second by WITT, to approve Resolution No. 2954: "A RESOLUTION AUTHORIZING PAYMENT OF A BUSINESS GRANT IN THE AMOUNT OF \$2,500.00 TO GEORGE'S RESTAURANT AND IN THE AMOUNT OF \$2,500.00 TO SEAJAE PROPERTIES, TO BE PAID IN 5 MONTHLY PAYMENTS OF \$500.00, FOR BENEFITS TO THE PUBLIC DUE TO THE ENHANCEMENT OF THE RETAIL ENVIRONMENT IN DOWNTOWN GRINNELL." Roll Call Vote: Ayes: White, Witt, McNaul, Wilson, Wright, Worley. Motion carried.

- Consideration of changes to the personnel policy.

The change is in the amount of reimbursement made to employees for meals while on company business. The recommendation is to provide two scales – one for business in the state and one for business out of state. A resolution will be presented at the next regularly scheduled meeting.

- Review of the special request from the Campbell Fund.

St. Paul's Episcopal Church is asking for \$2,500 for assistance in developing a community counseling program aimed at those who would not receive assistance from Mental Health and do not have insurance.

The request was denied as presented.

The Galaxy requested \$10,000 during the budget process and was provided \$5,000 from the Campbell Fund and \$3,000 from tourism. The remaining \$2,000 is not available from the city general fund so the remaining \$2,000 will be provided by the Campbell Fund.

Moved by WHITE, second by WITT, to approve the \$2,000 request from the Galaxy. Roll Call Vote: Ayes: White, Witt, Wilson, Wright, Worley. Abstained: McNaul. Motion carried.

- Review of the requests for assistance from the Campbell Fund.

The requests were approved as presented to the Finance Committee.

- Inquires

Bill Menner provided the committee with an update on the ethanol plant. A newspaper article stated that US BioEnergy Corporation has signed a Letter of Intent with Big River Resources in regard to the construction of an ethanol plant in the Grinnell area contingent on zoning, permitting and tax incentives. Big River Resources will be meeting with the county supervisors.

It was requested that certain personal questions be placed on the Campbell Fund application. The consensus of the committee was that it would not be appropriate.

B. Report from the Planning Committee

- Discuss Library Development Project.

The Mayor is putting together a task force to examine uses for the current building if a new facility is built.

- Review of the proposed Local Option Sales Tax Resolution.

The committee is taking options for the use into consideration and will further discuss those options at their next regularly scheduled meeting.

- Update on the R & B Rental Development – annexation, URA amendment, land exchange, building permits, etc.

The annexation is complete and the development will be added to urban revitalization area. The property the city will be exchanging has been surveyed and the first building permit has been issued. A letter of credit has been received from the developer.

- Discuss Design Standards for Buildings in the CBD.

A committee will be formed consisting of business/property owners, Historic Preservation Committee members, and city staff.

- Review of the contract submitted in regard to the CDBG housing rehabilitation program for 1 Washington Place.

Moved by WORLEY, second by MCNAUL to approve Resolution No. 2953: "A RESOLUTION TO APPROVE THE CITY OF GRINNELL COMMUNITY DEVELOPMENT BLOCK GRANT OWNER OCCUPIED HOUSING REHABILITATION CONTRACT FOR # 1 WASHINGTON PLACE." Roll Call Vote: Ayes: Worley, McNaul, Wright, Wilson, Witt, White. Motion carried.

- Update in regard to the status of the Dark Skies Initiative.

The initiative is to try and eliminate light reflecting in the sky at night. It will impact city lighting in addition to businesses. A draft ordinance has been prepared by the initiative's support and a review will occur over the coming months.

- Planning for 8<sup>th</sup> Avenue – Park Street to East Street.

Eighth Avenue will need to be rebuilt after the college is finished with construction. A meeting will be held with Grinnell College to look at long term plans for the street.

C. Report from the Public Works and Grounds Committee

- Review the bids received for the 2006 Street Repairs.

The only bid received was from Manatt's Inc. in the amount of \$211,784.96

- Approval of Change Order No. 5 in regard to the Central Business District.

Moved by WITT, second by MCNAUL, to approve Resolution No. 2957: "A RESOLUTION APPROVING CONTRACT CHANGE ORDER NO. 5 WITH MANATTS INC. OF BROOKLYN, IOWA FOR AN INCREASE TO THE CONTRACT COST IN THE AMOUNT OF \$7,030.00 FOR THE CENTRAL BUSINESS DISTRICT PROJECT." Roll Call Vote: Ayes: Witt, McNaul, White, Wilson, Wright, Worley. Motion carried.

- Approval of Change Order No. 6 in regard to the Central Business District.

Moved by WITT, second by MCNAUL, to approve Resolution No. 2958: "A RESOLUTION APPROVING CONTRACT CHANGE ORDER NO. 6 WITH MANATTS INC. OF BROOKLYN, IOWA FOR AN INCREASE TO THE CONTRACT COST IN THE AMOUNT OF \$1,176.00 FOR THE CENTRAL BUSINESS DISTRICT PROJECT." Roll Call Vote: Ayes: Witt, McNaul, Worley, White, Wright, Wilson. Motion carried.

- Approval of Pay Request No. 15 in regard to the Central Business District.

Moved by WITT, second by WHITE, to approve Resolution No. 2959: "A RESOLUTION

AUTHORIZING PAYMENT OF CONTRACTOR'S PROGRESS PAYMENT NO. 15 IN THE AMOUNT OF \$64,041.22 TO MANATTS INC. OF BROOKLYN, IOWA FOR WORK COMPLETED ON THE CENTRAL BUSINESS DISTRICT CONSTRUCTION PHASE 1." Roll Call Vote: Ayes: Witt, White, Witt, Worley, Wilson, Wright, McNaul. Motion carried.

- Review request from Iowa Telecom in regard to a new DLC (digital loop carrier).

The committee expressed concern about the proposed location and its proximity to Arbor Lake. Staff will work with Iowa Telecom and ask them if it could be moved to Marvin Avenue.

- Review request from Poweshiek Water Association in regard to the making of a connection within 2 miles of the corporate limits.

The connection is on West 380<sup>th</sup> Street. The committee did not approve the request and has requested staff to work with Poweshiek Water Association and the property owner.

- Review request from Uhlmann Furniture to pave a portion of the alley north of 1<sup>st</sup> Avenue between West and Main Streets.

Moved by WITT, second by MCNAUL to approve the request from Uhlmann Furniture to pave a portion of the alley north of 1st Avenue between West and Main Streets. Roll Call Vote: Ayes: Witt, White, McNaul, Wilson, Wright, Worley. Motion carried.

- Review of the request for head in parking on South Industrial Avenue.

Moved by WITT, second by MCNAUL to approve the request from Van Moore Enterprises for off street parking in the right-of-way at 704 Industrial Avenue. Roll Call Vote: Ayes: Witt, McNaul, Wright, Worley, White, Wilson. Motion carried.

- Update on parks planning.

The next meet will be held Monday, May 22, 2006, at 6:00 pm. A survey will be sent out in regard to the city parks. It will be sent to adults, college students, and 50 patronizing the Galaxy.

- Review of the rental equipment policy.

Moved by WITT, second by MCNAUL to approve the rental equipment policy. Roll Call Vote: Ayes: Witt, McNaul, Worley, Wilson, Wright, White. Motion carried.

D. Report from the Public Safety Committee

*(Please Note: This meeting was held on Tuesday, May 2, 2006.)*

- Review of the fire service agreement and set the date for the next meeting with the Rural Fire Association.

The contract language will be set by the city attorney by the next meeting. It will be a three year contract at a set dollar amount of \$22,000 for 2006-2007 and an increase of 2% per year for the next two years.

Jerry Benson asked about the term of the contract as he was under the impression it was for five years. Wilson responded that it was three years.

- Receive ordinances and maps provided by Greg Roth – Veenstra and Kimm in regard to the Central Business District.

The second reading of Ordinance No. 1270 is scheduled for this meeting.

- Discussion in regard to the ambulance service.

Staff is working with Midwest Ambulance to review portions of the current contract. The Fire Chief is also looking into the city providing service.

- Review of the lease agreement between the city of Grinnell and Cingular Wireless.

Cingular Wireless has not returned the lease at this time.

- Review of the ordinance proposed to implement no parking on a portion of 10<sup>th</sup> Avenue.

This ordinance is to eliminate parking on the south side of 10<sup>th</sup> Avenue from Park Street to East Street. The first reading of the ordinance is scheduled for this meeting.

E. Mayor's Committee Appointment Recommendations

- There are no appointments at this time.

NEW BUSINESS: None.

FINAL READING OF THE ORDINANCES:

Moved by WHITE, second by WITT, to conduct the final reading of Ordinance No. 1268: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 22, ARTICLE II, DIVISION 2 (RATES AND CHARGES.)" Roll Call Vote: Ayes: White, Witt, McNaul, Worley, Wright, Wilson. Motion carried.

Moved by WHITE, second by MCNAUL, to conduct the final reading of Ordinance No. 1269: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 22, ARTICLE III, DIVISION 2 (RATES AND CHARGES.)" Roll Call Vote: Ayes: White, McNaul, Wright, Wilson, Witt, Worley. Motion carried.

SECOND READING OF THE ORDINANCES:

Moved by WHITE, second by WORLEY, to conduct the second reading of Ordinance No. 1270: "AN ORDINANCE AMENDING THE "MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 13, SECTION 13-68.1 (HANDICAP PARKING SPACES.)" (This is related to handicap parking spaces in the Central Business District.) Roll Call Vote: Ayes: White, Worley, Wilson, Wright, Witt, McNaul. Motion carried.

Moved by WHITE, second by WILSON, to conduct the seconding reading of Ordinance No. 1271: "AN ORDINANCE AMENDING THE "MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY ADDING PROVISIONS PERTAINING TO CHAPTER 13, SECTION

13-508 (PARKING RESTRICTIONS.)” (This is related to three hour parking in a portion of the Central Business District.) Roll Call Vote: Ayes: Wilson. Nays: White, Wright, Worley, Witt, McNaul. Motion failed.

Wilson explained the ordinance is in regard to parking in the Central Business District during the business day. It was designed to keep people from blocking spaces in front of businesses.

Worley commented there were too many questions regarding the south end of Broad Street and suggested it be sent back to the committee for further review.

White has been contacted by businesses questioning where they are going to park. He suggested revisiting the parking north and south on Main Street and Broad Street.

Brad Cramner, a owner of businesses on Commercial Street and 5<sup>th</sup> Avenue, stated he has never had a problem with parking in front of his businesses. He also stated there are issues that need to be addressed on Commercial Street and suggested opening the street up and putting in diagonal parking even if it means shortening up the sidewalk. He stated that balance was needed without hindering the business owners.

Dave Ness, Grinnell Regional Medical Center, asked who was recommending the change.

The Chamber of Commerce as the result of a petition from Central Business District business owners. It grew out of the three hour parking restriction during construction.

Ness asked if there been a study on the impact and stated his main concern is the affect on dialysis patients.

Behrens said a parking study was completed in determining the number of parking spaces in the Central Business District.

Wilson stated employees would not have to walk any more than two blocks to their employment. Dialysis patients would not be ticketed if they went over the three hour limit.

Ness commented that the parking limits restriction will hurt tourism and business in the Central Business District.

#### FIRST READING OF THE ORDINANCES:

Moved by WILSON, second by WITT to conduct the first reading of Ordinance No. 1273: “AN ORDINANCE AMENDING THE “MUNICIPAL CODE OF THE CITY OF IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 13, SECTION 13-508 (PARKING RESTRICTIONS.)” (This is related to parking on 10<sup>th</sup> Avenue between Park and East Streets.) Roll Call Vote: Ayes: Wilson, Witt, Worley, McNaul, White, Wright. Motion carried.

#### INQUIRIES:

Lucille Ahrens thanked those that participated in the discussion on parking downtown.

Worley commented that he had received complaints about the flag etiquette by the city. Staff will work to correct any problems.



REPORT FROM THE CITY MANAGER:

A Central Business District Task Force meeting will be held Wednesday, May 17, 2006.

Monday, May 22, 2006, is the date of the next park planning meeting.

The City Code update will be brought to Finance Committee for review.

ADJOURN:

Moved by MCNAUL, second by WHITE, to adjourn this regular session of the Grinnell City Council at 8:41 pm. Vote: (6) ayes, motion carried.

ATTEST:

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Gordon Canfield, Mayor

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Annmarie Wingerter, Acting City Clerk